

ESTTA Tracking number: **ESTTA767749**Filing date: **08/30/2016**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224991
Party	Defendant Ansun Biopharma, Inc.
Correspondence Address	Lisa M. Martens Sheppard Mullin Richter & Hampton LLP 12275 El Camino Real, Suite 200 San Diego, CA 92130-2006 UNITED STATES lmartens@sheppardmullin.com, nly@sheppardmullin.com, dmtmdocketing@sheppardmullin.com
Submission	Answer and Counterclaim
Filer's Name	Lisa M. Martens
Filer's e-mail	lmartens@sheppardmullin.com, nly@sheppardmullin.com, dmtmdocketing@sheppardmullin.com, lperez@sheppardmullin.com
Signature	/Lisa M. Martens/
Date	08/30/2016
Attachments	2016-08-30 Answer to Notice of Opposition and Counterclaim - F1-NAL.pdf(191208 bytes)

Registration Subject to the filing

Registration No	1870977	Registration date	01/03/1995
International Registration No.	NONE	International Registration Date	NONE
Registrant	GLAXO GROUP LIMITED 980 GREAT WEST ROAD BRENTFORD MIDDLESEX, TW8 9GS UNITED KINGDOM		

Goods/Services Subject to the filing

Class 005. First Use: 0 First Use In Commerce: 0

All goods and services in the class are requested, namely: pharmaceutical preparations and substances for the treatment and/or alleviation of respiratory diseases

Grounds for Cancellation

Deceptiveness	Trademark Act Sections 14(3) and 2(a)
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 86/336,849
For the mark FLUDASE
Published in the *Official Gazette* on June 9, 2015

GLAXO GROUP LIMITED,

Opposer,

v.

ANSUN BIOPHARMA, INC.,

Applicant.

Opposition No. 91-224,991

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

ANSWER TO NOTICE OF OPPOSITION AND COUNTERCLAIM

Applicant Ansun BioPharma, Inc. (“Ansun”), by and through its undersigned counsel, hereby answers the Notice of Opposition filed against its Application Serial No. 86/336,849 (the “Application”) for the mark FLUDASE by Opposer Glaxo Group Limited (“Opposer”). The Answer paragraphs are numbered to correspond to the numbered paragraphs of the Notice of Opposition.

The preamble paragraph of the Notice of Opposition on page 1 is an introductory paragraph to which no responsive pleading is required. To the extent that a response is deemed necessary, however, Ansun denies that Opposer will be damaged by registration of the FLUDASE mark identified in the Application. Ansun lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations concerning Opposer’s country of organization and Opposer’s address and, on that basis, denies these allegations.

1. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 1 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

2. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 2 of the Notice of Opposition, specifically whether Opposer is the current correct and proper owner of the claimed registration. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

3. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 3 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

4. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 4 of the Notice of Opposition, specifically whether he claimed registration is valid and subsisting. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

5. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 5 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

6. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 6 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

7. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 7 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

8. Ansun is without knowledge or information sufficient to form a belief as to the truth of certain of the allegations contained in paragraph of the Notice of Opposition, specifically that Glaxo has prior common law and statutory rights in the FLONASE mark; that it ever established rights therein; whether Opposer is the current correct and proper owner of the claimed registration; and whether the claimed registration is valid and subsisting. Therefore, Ansun is without knowledge and information sufficient to form a belief as to priority, and to that extent must deny the paragraph as written. Ansun admits that it has applied to register the mark FLUDASE for “Pharmaceutical preparation for the prevention, prophylaxis, and treatment of respiratory viral illness, namely influenza and parainfluenza” in International Class 5, as set forth in Application Serial No. 86/336,849.

9. Ansun is without knowledge or information sufficient to form a belief as to the truth of allegations contained in paragraph 9 of the Notice of Opposition. Since Ansun can neither admit nor deny the paragraph as written, Ansun must deny.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Denied.

The concluding paragraph of the Notice of Opposition on page 4, beginning with the word “WHEREFORE,” is a concluding paragraph to which no responsive pleading is required.

To the extent that a response is deemed necessary, Ansun again denies that Opposer will be damaged by registration of the FLUDASE mark as shown in the Application.

AFFIRMATIVE DEFENSES

Ansun asserts that the following affirmative defenses to the Notice of Opposition and each purported claim therein.

FIRST AFFIRMATIVE DEFENSE

Opposer's claims are barred because the Notice of Opposition fails to state facts sufficient to constitute a claim against Ansun.

SECOND AFFIRMATIVE DEFENSE

Opposer's claims are barred by the equitable defense of laches as Opposer unreasonably delayed in asserting a claim against Ansun.

THIRD AFFIRMATIVE DEFENSE

Opposer, as a result of its actions or inactions regarding the subject matter of this Opposition, is estopped from asserting any claim for relief against Ansun.

FOURTH AFFIRMATIVE DEFENSE

Opposer, as a result of its actions or inactions regarding the subject matter of this Opposition, waived any and all claims against Ansun.

FIFTH AFFIRMATIVE DEFENSE

Opposer's claims are barred by the doctrine of acquiescence.

SIXTH AFFIRMATIVE DEFENSE

Opposer's claims are barred by the doctrine of unclean hands.

SEVENTH AFFIRMATIVE DEFENSE

Opposer's claims are barred by the doctrine of trademark misuse.

EIGHTH AFFIRMATIVE DEFENSE

Ansun is still investigating this matter and reserves the right to assert additional affirmative defenses as they become known.

COUNTERCLAIM FOR PARTIAL CANCELLATION OF OPPOSER'S FLONASE REGISTRATION

Ansun BioPharma, Inc. ("Ansun"), a California corporation having a principal place of business at 3030 Callan Road, San Diego, California 92121, hereby petitions for partial cancellation or restriction of the FLONASE mark at U.S. Registration No. 1,870,977 for "pharmaceutical preparations and substances for the treatment and/or alleviation of respiratory diseases" ("Registration") as owned by Glaxo Group Limited ("Respondent"). As grounds for the partial cancellation or restriction, pursuant to Section 18 of the Trademark Act, 15 U.S.C. § 1068, it is alleged that:

1. Ansun has standing to bring this counterclaim as a result of the opposition filed by Respondent, Opposition No. 91-224,991, in which Respondent plead ownership of the Registration alleging a likelihood of confusion, deceptiveness, false suggestion of a connection, and dilution with Ansun's Application Serial No. 86/336,849 for the FLUDASE mark ("Application"). Attached as **Exhibit A** is a print out from the trademark database of the current status of the Application.

2. The Registration was issued by the U.S. Patent and Trademark Office on January 3, 1995 for the FLONASE word mark for use in connection with "pharmaceutical preparations and substances for the treatment and/or alleviation of respiratory diseases." Attached as **Exhibit**

B is a copy of the certificate of registration, the current status, and assignment record for the Registration.

3. Upon information and belief, Registrant is not using the FLONASE mark in connection with respiratory diseases, but merely for the treatment or alleviation of allergies.

4. Ansun hereby requests that, pursuant to Section 18 of the Trademark Act, U.S. Registration No. 1,870,977 be partially cancelled or restricted as follows: pharmaceutical preparations and substances for the treatment and/or alleviation of allergies.

5. The requested restriction or modification of the Registration would avoid the alleged likelihood of confusion claimed by Respondent between Ansun's Application and Respondent's Registration because the parties' goods are for specific, unrelated illnesses.

WHEREFORE, Ansun prays for judgment as follows:

1. Dismissal of the Notice of Opposition in its entirety and with prejudice;
 2. Grant of Ansun's Counterclaim for Partial Cancellation in its entirety;
 3. Grant of a registration for Ansun's FLUDASE mark identified in the Application;
- and
4. For such other and further relief as this Trademark Trial and Appeal Board deems just and proper.

Please apply any charges to Deposit Account No. 504562.

Dated: August 30, 2016

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /Lisa M. Martens/
LISA M. MARTENS
NANCY L. LY

Attorneys for Applicant,
ANSUN BIOPHARMA, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** was served upon counsel of record for Opposer on this 30th day of August, 2016, by pre-paid, first-class mail:

Paul C. Llewellyn
Kaye Scholer LLP
250 West 55th Street
New York, NY 10019-9710
UNITED STATES

/Louie Perez/
LOUIE PEREZ

EXHIBIT A

Generated on: This page was generated by TSDR on 2016-08-30 19:17:18 EDT

Mark: FLUDASE

FLUDASE

US Serial Number: 86336849

Application Filing Date: Jul. 14, 2014

Register: Principal

Mark Type: Trademark

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Nov. 24, 2015

Publication Date: Jun. 09, 2015

Mark Information

Mark Literal Elements: FLUDASE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Pharmaceutical preparation for the prevention, prophylaxis, and treatment of respiratory viral illness, namely, influenza and parainfluenza

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: Yes

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Ansun Biopharma, Inc.

Owner Address: 3030 Callan Road
San Diego, CALIFORNIA 92121
UNITED STATES

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Lisa M. Martens**Docket Number:** 36358-000200**Attorney Primary
Email Address:** tmdoctc@fr.com**Attorney Email
Authorized:** Yes**Correspondent****Correspondent
Name/Address:** LISA M. MARTENS
SHEPPARD MULLIN RICHTER & HAMPTON LLP
12275 EL CAMINO REAL, SUITE 200
SAN DIEGO, CALIFORNIA 92130-2006
UNITED STATES**Phone:** 858-720-8900**Fax:** 858-509-3691**Correspondent e-
mail:** dmtmdocketing@sheppardmullin.com**Correspondent e-
mail Authorized:** Yes**Domestic Representative - Not Found**

Prosecution History

Date	Description	Proceeding Number
Dec. 11, 2015	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Nov. 24, 2015	OPPOSITION INSTITUTED NO. 999999	224991
Jul. 08, 2015	EXTENSION OF TIME TO OPPOSE RECEIVED	
Jun. 09, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jun. 09, 2015	PUBLISHED FOR OPPOSITION	
May 20, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
May 02, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	77312
May 02, 2015	ASSIGNED TO LIE	77312
Apr. 08, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 25, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 24, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 24, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 26, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2014	NON-FINAL ACTION E-MAILED	6325
Sep. 26, 2014	NON-FINAL ACTION WRITTEN	78477
Sep. 24, 2014	ASSIGNED TO EXAMINER	78477
Jul. 24, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 17, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information**TM Attorney:** MCPHERSON RAYBURN, SHA**Law Office
Assigned:** LAW OFFICE 105**File Location****Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** May 02, 2015

Proceedings

Summary**Number of
Proceedings:** 2**Type of Proceeding: Opposition****Proceeding
Number:** [91224991](#)**Filing Date:** Nov 24, 2015**Status:** Pending**Status Date:** Nov 24, 2015**Interlocutory
Attorney:** BENJAMIN U OKEKE**Defendant**

Name: Ansun Biopharma, Inc.

Correspondent Address: Lisa M. Martens
Sheppard Mullin Richter & Hampton LLP
12275 El Camino Real, Suite 200
San Diego CA , 92130-2006
UNITED STATES

Correspondent e-mail: lmartens@sheppardmullin.com , nly@sheppardmullin.com , dmtdocketing@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
FLUDASE	Opposition Pending	86336849	

Plaintiff(s)

Name: Glaxo Group Limited

Correspondent Address: Paul C. Llewellyn
Kaye Scholer LLP
250 West 55th Street
New York NY , 10019-9710
UNITED STATES

Correspondent e-mail: paul.llewellyn@kayescholer.com , john.rynkiewicz@kayescholer.com , tmtdocketing@kayescholer.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
FLONASE	Renewed	74389190	1870977

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 24, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 24, 2015	Jan 03, 2016
3	PENDING, INSTITUTED	Nov 24, 2015	
4	STIP FOR EXT	Dec 29, 2015	
5	EXTENSION OF TIME GRANTED	Dec 29, 2015	
6	CHANGE OF CORRESP ADDRESS	Feb 23, 2016	
7	STIP FOR EXT	Feb 23, 2016	
8	EXTENSION OF TIME GRANTED	Feb 24, 2016	
9	STIP FOR EXT	Apr 12, 2016	
10	EXTENSION OF TIME GRANTED	Apr 12, 2016	
11	STIP FOR EXT	May 25, 2016	
12	EXTENSION OF TIME GRANTED	May 25, 2016	
13	STIP FOR EXT	Jun 28, 2016	
14	EXTENSION OF TIME GRANTED	Jun 28, 2016	

Type of Proceeding: Extension of Time

Proceeding Number: [86336849](#)

Filing Date: Jul 08, 2015

Status: Terminated

Status Date: Dec 06, 2015

Interlocutory Attorney:

Defendant

Name: Ansun Biopharma, Inc.

Correspondent Address: LISA M. MARTENS
FISH & RICHARDSON P.C.
PO BOX 1022
MINNEAPOLIS MN , 55440-1022

Associated marks

Mark	Application Status	Serial Number	Registration Number
FLUDASE	Opposition Pending	86336849	

Potential Opposer(s)

Name: Glaxo Group Limited

Correspondent Terence A. Dixon
Address: GlaxoSmithKline
LGTM, NY03005 Crescent Drive
Philadelphia PA , 19112
UNITED STATES

Correspondent e-mail: trademarks@gsk.com , terry.a.dixon@gsk.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
Prosecution History			
Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Jul 08, 2015	
2	EXTENSION OF TIME GRANTED	Jul 08, 2015	
3	INCOMING - EXT TIME TO OPPOSE FILED	Oct 07, 2015	
4	EXTENSION OF TIME GRANTED	Oct 07, 2015	
5	INCOMING - EXT TIME TO OPPOSE FILED	Oct 07, 2015	
6	EXTENSION OF TIME GRANTED	Oct 07, 2015	

EXHIBIT B

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,870,977

Registered Jan. 3, 1995

**TRADEMARK
PRINCIPAL REGISTER**

FLONASE

GLAXO GROUP LIMITED (UNITED KING-
DOM CORPORATION)
GLAXO HOUSE, BERKELEY AVENUE
GREENFORD, MIDDLESEX UB6 0NN, UNITED
KINGDOM

FOR: PHARMACEUTICAL PREPARATIONS
AND SUBSTANCES FOR THE TREATMENT

AND/OR ALLEVIATION OF RESPIRATORY
DISEASES, IN CLASS 5 (U.S. CL. 18).

OWNER OF UNITED KINGDOM REG. NO.
A1466284, DATED 6-4-1991, EXPIRES 6-4-1998.

SER. NO. 74-389,190, FILED 5-11-1993.

SCOTT GOODPASTER, EXAMINING ATTOR-
NEY

Generated on: This page was generated by TSDR on 2016-08-30 19:30:50 EDT

Mark: FLONASE

US Serial Number: 74389190

Application Filing Date: May 11, 1993

US Registration Number: 1870977

Registration Date: Jan. 03, 1995

Register: Principal

Mark Type: Trademark

Status: The registration has been renewed.

Status Date: Dec. 04, 2014

Publication Date: Feb. 22, 1994

Mark Information

Mark Literal Elements: FLONASE

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Foreign Information

Foreign Registration Number: A1466284

Foreign Registration Date: Jun. 04, 1991

Application/Registration Country: Foreign UNITED KINGDOM

Foreign Expiration Date: Jun. 04, 1998

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: pharmaceutical preparations and substances for the treatment and/or alleviation of respiratory diseases

International Class(es): 005 - Primary Class

U.S Class(es): 018

Class Status: ACTIVE

Basis: 44(e)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: Yes

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: GLAXO GROUP LIMITED

Owner Address: 980 GREAT WEST ROAD
BRENTFORD MIDDLESEX TW8 9GS
UNITED KINGDOM

Legal Entity Type: CORPORATION

State or Country UNITED KINGDOM
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Terence A. Dixon

Docket Number: TMR 25847

Attorney Primary trademarks@gsk.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Terence A. Dixon
GLAXOSMITHKLINE
5 CRESCENT DRIVE
LGTM - NY0300
PHILADELPHIA, PENNSYLVANIA 19112
UNITED STATES

Phone: 215.751.7653

Fax: 215.751.7051

Correspondent e-mail: trademarks@gsk.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Sheldon R. Pontaoe

Phone: 919/483-2519

Fax: 919/483-7988

Domestic Representative e-mail: sheldon.r.pontaoe@gsk.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Dec. 04, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Dec. 04, 2014	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	64591
Dec. 04, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
Dec. 02, 2014	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Nov. 24, 2014	POST REGISTRATION ACTION MAILED - SEC. 8 & 9	64591
Nov. 18, 2014	TEAS SECTION 8 & 9 RECEIVED	
Jun. 26, 2013	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 15, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Dec. 12, 2012	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 27, 2010	ATTORNEY REVOKED AND/OR APPOINTED	
Aug. 27, 2010	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Feb. 17, 2005	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Feb. 17, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 20, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Dec. 20, 2004	TEAS SECTION 8 & 9 RECEIVED	
Nov. 12, 2004	ATTORNEY REVOKED AND/OR APPOINTED	
Nov. 12, 2004	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
May 16, 2000	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	

Feb. 14, 2000	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED
Jan. 03, 1995	REGISTERED-PRINCIPAL REGISTER
Mar. 22, 1994	EXTENSION OF TIME TO OPPOSE RECEIVED
Feb. 22, 1994	PUBLISHED FOR OPPOSITION
Jan. 21, 1994	NOTICE OF PUBLICATION
Nov. 24, 1993	NOTICE OF PUBLICATION
Oct. 18, 1993	APPROVED FOR PUB - PRINCIPAL REGISTER
Sep. 23, 1993	CORRESPONDENCE RECEIVED IN LAW OFFICE
Sep. 21, 1993	NON-FINAL ACTION MAILED
Aug. 31, 1993	ASSIGNED TO EXAMINER
Aug. 26, 1993	ASSIGNED TO EXAMINER

68010

67659

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jan. 03, 2015

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Dec. 04, 2014

Assignment Abstract Of Title Information

Summary

Total Assignments: 2

Registrant: Glaxo Group Limited

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [4913/0266](#)

Pages: 160

Date Recorded: Dec. 05, 2012

Supporting Documents: [assignment-tm-4913-0266.pdf](#)

Assignor

Name: [GLAXO GROUP LIMITED](#)

Execution Date: Oct. 01, 2011

Legal Entity Type: CORPORATION

State or Country Where Organized: UNITED KINGDOM

Assignee

Name: [GLAXOSMITHKLINE INTELLECTUAL PROPERTY MANAGEMENT LIMITED](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UNITED KINGDOM

Address: 980 GREAT WEST ROAD
BRENTFORD MIDDLESEX, UNITED KINGDOM TW8 9GS

Correspondent

Correspondent Name: CHRISTOPHER M. HANES

Correspondent Address: FIVE MOORE DRIVE
LGTM, C.3157.3D
RESEARCH TRIANGLE PA, NC 27709

Domestic Representative

Domestic Representative Name: CHRISTOPHER M. HANES

Domestic Representative Address: FIVE MOORE DRIVE
LGTM, C.3157.3D
RESEARCH TRIANGLE PA, NC 27709

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [5051/0580](#)

Pages: 3

Date Recorded: Jun. 19, 2013

Supporting Documents: [assignment-tm-5051-0580.pdf](#)

Assignor

Name: [GLAXOSMITHKLINE INTELLECTUAL PROPERTY MANAGEMENT LIMITED](#)

Execution Date: May 23, 2013

Legal Entity Type: CORPORATION

State or Country Where Organized: UNITED KINGDOM

Assignee

Name: [GLAXO GROUP LIMITED](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: UNITED KINGDOM

Address: 980 GREAT WEST ROAD
BRENTFORD MIDDLESEX, UNITED KINGDOM TW8 9GS

Correspondent

Correspondent Name: TERENCE A. DIXON

Correspondent Address: FIVE CRESCENT DRIVE
PHILADELPHIA, PA 19112

Domestic Representative

Domestic Representative Name: TERENCE A. DIXON

Domestic Representative Address: FIVE CRESCENT DRIVE
PHILADELPHIA, PA 19112

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91224991](#)

Filing Date: Nov 24, 2015

Status: Pending

Status Date: Nov 24, 2015

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: Ansun Biopharma, Inc.

Correspondent Address: Lisa M. Martens
Sheppard Mullin Richter & Hampton LLP
12275 El Camino Real, Suite 200
San Diego CA , 92130-2006
UNITED STATES

Correspondent e-mail: lmartens@sheppardmullin.com , nly@sheppardmullin.com , dmtmdocketing@sheppardmullin.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
FLUDASE	Opposition Pending	86336849	

Plaintiff(s)

Name: Glaxo Group Limited

Correspondent Address: Paul C. Llewellyn
Kaye Scholer LLP
250 West 55th Street

New York NY , 10019-9710
UNITED STATES

Correspondent e-mail: paul.llewellyn@kayescholer.com , john.rynkiewicz@kayescholer.com , tmdocketing@kayescholer.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
FLONASE	Renewed	74389190	1870977
Prosecution History			
Entry Number	History Text	Date	Due Date
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7	STIP FOR EXT	Feb 23, 2016	
8	EXTENSION OF TIME GRANTED	Feb 24, 2016	
9	STIP FOR EXT	Apr 12, 2016	
10	EXTENSION OF TIME GRANTED	Apr 12, 2016	
11	STIP FOR EXT	May 25, 2016	
12	EXTENSION OF TIME GRANTED	May 25, 2016	
13	STIP FOR EXT	Jun 28, 2016	
14	EXTENSION OF TIME GRANTED	Jun 28, 2016	

Type of Proceeding: Opposition

Proceeding Number: [91122768](#)

Filing Date: Feb 26, 2001

Status: Terminated

Status Date: Oct 06, 2001

Interlocutory Attorney: LINDA M SKORO

Defendant

Name: INVITROGEN CORPORATION (LIFE TECHNOLOG- IES, INC.)

Correspondent Address: MITCHELL H. STABBE
DOW, LOHNES & ALBERTSON, PLLC.
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Associated marks			
Mark	Application Status	Serial Number	Registration Number
CLONASE	Renewed	75682538	2585782
Plaintiff(s)			

Name: GLAXO GROUP LIMITED AND GLAXO WELLCOME INC.

Correspondent Address: DAVID A. HARLOW
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Associated marks			
Mark	Application Status	Serial Number	Registration Number
FLONASE	Renewed	74389190	1870977
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 26, 2001	
2	NOTICE SENT; TRIAL DATES RESET; ANSWER DUE	Apr 30, 2001	Jun 09, 2001
3	PENDING, INSTITUTED	Apr 30, 2001	
4	DEF'S POWER OF ATTORNEY/MOT TO SUBSTITU- TE;ANSWER	Jun 08, 2001	

5	STIP TO W/D OPP. W/O PREJ.	Aug 21, 2001
6	BD'S DECISION: DISMISSED W/O PREJUDICE	Oct 06, 2001
7	TERMINATED	Oct 06, 2001



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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [74389190](#)

Filing Dt: 05/11/1993

Reg #: [1870977](#)

Reg. Dt: 01/03/1995

Registrant: Glaxo Group Limited

Mark: FLONASE

Assignment: 1

Reel/Frame: [4913/0266](#)

Recorded: 12/05/2012

Pages: 160

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [GLAXO GROUP LIMITED](#)

Exec Dt: 10/01/2011

Entity Type: CORPORATION

Citizenship: UNITED KINGDOM

Assignee: [GLAXOSMITHKLINE INTELLECTUAL PROPERTY MANAGEMENT LIMITED](#)

980 GREAT WEST ROAD

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Entity Type: CORPORATION

Citizenship: UNITED KINGDOM

Correspondent: CHRISTOPHER M. HANES

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LGTM, C.3157.3D

RESEARCH TRIANGLE PA, NC 27709

Domestic rep: CHRISTOPHER M. HANES

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Assignment: 2

Reel/Frame: [5051/0580](#)

Recorded: 06/19/2013

Pages: 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: [GLAXOSMITHKLINE INTELLECTUAL PROPERTY MANAGEMENT LIMITED](#)

Exec Dt: 05/23/2013

Entity Type: CORPORATION

Citizenship: UNITED KINGDOM

Assignee: [GLAXO GROUP LIMITED](#)

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